

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

IN RE: VALSARTAN, LOSARTAN, AND
IRBESARTAN PRODUCTS LIABILITY
LITIGATION

MDL No. 2875

Honorable Robert B. Kugler,
District Court Judge

Honorable Thomas I. Vanaskie
(Ret.), Special Discovery Master

**ZHP'S MOTION FOR LEAVE TO FILE A SUR-REPLY BRIEF TO
CORRECT FACTUAL INACCURACIES IN PLAINTIFFS' REPLY BRIEF
IN SUPPORT OF PLAINTIFFS' MOTION FOR RULE 37 SANCTIONS**

ZHP respectfully requests leave to file the attached sur-reply brief to correct multiple misrepresentations of fact made in Plaintiffs' reply brief. A surreply is needed because Plaintiffs' reply brief erroneously asserts that ZHP did not adequately complete the application for Mr. Chen's travel permit and unfairly blames ZHP for the decision by the People's Republic of China to deny that application. Plaintiffs' reply brief also mischaracterizes ZHP's good-faith efforts to comply with the Court's orders as they pertain to ZHP's supplemental document production, which is near completion.

ZHP respectfully requests an opportunity to correct these fundamental factual inaccuracies and mischaracterizations before the Court considers and adjudicates Plaintiffs' pending motion, which seeks the striking of ZHP's answer and its

defenses. Permitting ZHP to file the attached sur-reply will ensure that Plaintiffs' sweeping request for sanctions is decided on a complete and accurate record.

WHEREFORE, ZHP respectfully requests that the Court grant leave for ZHP to file the attached Sur-Reply Brief to Correct the Factual Inaccuracies in Plaintiffs' Reply Brief in Support of Plaintiffs' Motion for Sanctions, and enter an order deeming the attached brief filed.

Dated: February 28, 2022

Respectfully submitted,

By: /s/ Seth A. Goldberg

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 28, 2022, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to all CM/ECF participants in this matter.

/s/ Seth A. Goldberg
Seth A. Goldberg